8.

1894-95 File-No. 149-94
(L. R.) Serial No 1-9.

Sub:- Appeal of Gurunatha Ramachandra Row, regarding the Shanbhogi of Eight villages in Jade Magan Sorab Taluk.

hh

P. F. 31 of 94

G. R. S. IX-5]

Previous references.

1894 95

~~192~~

(L. R.)

File No. 149-94

Serial Nos. 1—9

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—9

Major ~~Part~~ B for January 1895.

SUBJECT.

Appeal of Gurunatha Ramachandra Rao regarding the Shanbhogi of Eight Villages in Jade Hoyani, Sorab Taluk.

Inspected

Countermarked

WD 2233—GPB—20,000—14-6-20

Han

Reg: C. S. No. 3 of 1871-72 on the file of the court of the Supr. Sub Division Officer

L. R. 149 – 94

Plaintiff — vs — Defendants

Gurunatha [illegible] [illegible] Jedarmari [illegible] Taluk.

1. [illegible] [illegible] [illegible]
2. [illegible] [illegible] of Jedarmari [illegible] Taluk.

Plaint

1. The plaintiff and the [illegible] and before them their respective ancestors were jointly conducting the duties of Shanbhogue of the 2 villages of [illegible] [illegible]. In 1878 the said [illegible] having been convicted on a charge of [illegible] a [illegible] [illegible] document [illegible] him of his right to the office.

2. The 1st defendant who had no right to the office obtained the office of Shanbhogue of [illegible] [illegible] comprising both the villages of [illegible] and [illegible] in [illegible] February 1888 or thereabouts.

3. The plaintiff is the registered holder to the office of Shanbhogue of the villages of [illegible] and [illegible] of [illegible] No. 10 above, respectively. The plaintiff being therefore that the 1st defendant in whose name the office has been registered

5 Exhibit A.

Order No. 30 dated 7th July 1837 from Soraba Anavatti Taluk to Krishnappa brother of Venkappa Naiya of Chandrapatti.

Siriappa Nadig of Jade Magani presented a petition (file No. 134 of last year) urging that he had mortgaged his Shanbhaviki to your brother Venkappa for 137 Hyri fanams, that it ~~is~~ was not possible for him to get back the office by paying up the amount and also manage the office and keep accounts, that consequently he would resign the office in your favor and requesting that the same might be registered in your name and work taken from you. The petition ~~was~~ having been referred to this office the matter was enquired into and an Ittille was made. In reply the Superintendent Mr. Stokes has issued Hukum No. 213. Agreeably thereto the office of Shanbogue of Jade Magani has in accordance with the consent of the said Siriappa been conferred on you from 1st July current. You are to conduct the duties carefully -

brother of the 5th and 6th Defendants. During the Settlement of the Police these two villages having been formed into a Circle were without the consent of the Hakdars, the Plaintiff and the 1st Deft. and at the instance of the 8th defendant registered in the 2d Defendant's name. The 3d Defendant is the son of the 2d Deft. and he conducts the duties of this office as his Gumasta. The 4th Defendant is the minor son of the 2d Defendant. Half of the hak to this office belongs to the Plaintiff and the other half to the 1st Defendant. But as the 1st Defendant refused to join in the suit he has been sued as a Defendant. The cause of action arose in March 1879. The prayers ~~is~~ are that the register of the office may be made in ~~the~~ Plaintiff's name and work taken from him and that court costs may be ordered to be paid to him.

3. The replies of the Defendants are detailed below.

The 1st Defendant's written statement.

The Plaintiff, as stated in the 2d para of the plaint, does not possess Hakdari to the Shanbhogike of the villages of Chagaloora and Madapura referred to in the plaint.

In 1873-74 the Plaintiff having brought a suit to have the Shanbhogike

6

Exhibit II

Judgment in Rev. Suit No. 3 of 1891-9
on the file of the 3d. Assistd. Comst. Court.

Plaintiff vs. Defendants
Martandappa
1. Gurunathappa
2. Seenappa
3. Bheemappa
4. Venkata Row (minor) guardian 2d. Deft.
5. Malhari Row
6. Neelakanta Row
(minors guardian father Rudrappa — 5 and 6)
7. Basappa
8. Roodrappa.

This is a suit relating to the Hakkoo to the office of Shanbogue of two villages viz. Chapaloor and Madapura of Jade Magani Sorab Taluk.

2. The purport of the plaint is:-

The Plaintiff and the 1st. Defendants' father are brothers. The Shanbhogike of these villages had belonged jointly to their family and the family of the 8th. Defendant. As the 8th. Defendant was convicted of an offence against Government and punished his Hak was in 1878 transferred to the family of the Plaintiff. As the 5th and 6th. Defendants, who are the sons of the 8th. Defendant, were born after this event took place they have no Hak thereto. The 7th. Defendant is the wife of the 8th. Defendant and may be declared of title in the office registered in ~~Plaintiff's~~ his name – that the said office which is now in the possession of the 2d Defendant may be caused to be handed over to the ~~Plaintiff~~ him and that the court costs may be ~~ordered~~ to be paid to him.

4. The cause of action has arisen in February 1881.

3 Reg. O.S. No. of 87-92. on the file of the Court of the [illegible] Sub Division officer

Plaintiff vs Defendant
[illegible] [illegible] 1. [illegible] son of [illegible]
2. [illegible] son of [illegible]

Written Statement of the 2nd Defendant.

1. The Plaintiff and [illegible] are not Entitled to the office of [illegible] of [illegible] and [illegible] now sued for.

2. The 1st Defendant having inherited the [illegible] of the [illegible] different from the former [illegible] has become its [illegible] since 87.

3. In 1887 when the [illegible] was [illegible] registered in 1st Defendant's name the Plaintiff preferred a petition on which an order which was not in his favour was passed. But the Plaintiff failed to file a regular suit within one year from the date of the said order this suit is barred by limitation.

4. Previous to the inheritance [illegible] by the 1st Defendant from [illegible] both the [illegible] and his [illegible] were conducting the duty for a period of [illegible] 12 years.

5. This suit is barred by time as

the said Rudrappa and also the defendant have been conducting the duties of the office of Shanbhogue [illegible] dispute for upwards of last 12 years

6. As the Plaintiff has filed the suit against the 2d defendant who is a minor without including his guardian it is not tenable.

7. From the foregoing reasons as the Plaintiff is not entitled to any relief, it is prayed that the suit may be dismissed with costs.

Exhibit I.

Dy. Commissioner's order No. 257 dated 28-1-81.

As recommended by you Lemappa son [illegible] nephew of [illegible] (on his natural father's side) is appointed as Shanbhogue of circle No. 16. and Lingappa is appointed as his gumasta to conduct the duties till the boy becomes of age.

10 [illegible] of the village under dispute made in the name [illegible] and [illegible] made the [illegible] according to [illegible] in the 2nd defendant's name. Since then the 2nd ~~defendant~~ and the 8th defendants jointly conducted the duties of the Shanbhogship of the village under dispute and also that of other villages. After the settlement of [illegible] the Plaintiff has been conducting for the 1st defendant the Shanbhogship of the Kasaba [illegible]. Consequently the Plaintiff has no right to file this suit.

The fact referred to in the 5th para of the plaint is false.

There is no reason to sue the 1st deft.

If it is decided that from 2 to 8th Defendants have no right to the Shanbhogship under dispute then the 1st defendant would become the sole holder in opposition to the right of the Plaintiff. Pray therefore that the case may be dismissed with costs.

Reply [illegible] for the 5th, 6th, 7th and 8th defts.

It is false that the plaintiff [illegible]

14 are undivided members and that since the latter is a minor the Baravar of Jade Majani should be made in his (Plff's) name. Though his request was not complied with, and since the Baravard was in the 1st Defendant's name, and since they are all undivided members it did not tantamount to the rejection of the Hak the Plaintiff had. The Baravard having then been made in 1st Defendant's, i.e. defendant's Elder brother's Son's name it was directed that the ~~Plaintiff was~~ himself should ~~directed~~ to conduct the duties as Jemada till he attained his 21st year. (~~II~~ Exhibi

8. When the Plaintiff and the 1st Defenda were living together both Rudrappa and Jeernathappa's names used to be Enter in the Baravard for Jade Majani. Previous to the Settlement of Tolap i.e in 1878 Rudrappa was punished in a Criminal Court for certifying fals on a Darkhast. Consequently he lost his Hak. According to Notification No. 219 dated 27th October 1874 which was in force at the time of the Settlement the villages should have been so allotte that each Shanbogue might get ~~the~~ certain number of villages the duties connecte therewith he would be able to conduct. Accordingly the villages of Jade Majani

having been separated the plaintiff was given the Jade circle and the 1st Defendant was given another circle - (Exhibit marked B). It appears from the Exhibit marked A that the circle under dispute was at in accordance with the statement of Rudrappa registered in Seenappa i.e. the 2nd Defendant's name who was conducting the duty temporarily till then. The deprivation of ~~the~~ Watk to the descendants of the offender is in accordance with rule No. 31 of the aforesaid Notification left to the discretion of the District officer, i.e the Dy. Commissioner. It is mentioned in rule No. 30 that if no competent persons are forthcoming in the Watkdar's family the Government might nominate a competent man - The Dy. Commissioner having used the power conferred on him in the aforesaid two rules nominated the 2nd Defendant then. If by disturbing the arrangement made by the above officer the plaintiff is appointed to the office it would amount to the cancellation of his order.

9. Suits for the cancellation of the decision or order passed by Government officers should be instituted within a year from the date of the said decision or order (Vide ~~sec~~ article 14, ~~chapter~~ schedule 2 of the Limitation Act.)

in the 8th person of the plaintiff conducted the duties connected with all these villages till 1878-79 when together. It is false that the 8th defendant having been convicted of cheating Government agreed that his family should be deprived of their vatt of the office. The 8th Deft. has not been deprived of his vatt. The 5th, 6th and 7th Defendants are entitled to preserve and maintain it. In 1878 the vatt of the 8th defendant was not transferred to the Plaintiff and the 1st Defendant. They were divided, previous to 1878. During the Lakha [illegible] the villages that had belonged to the joint kulkarni of the 1st and 8th Defendants were formed into three circles. In accordance with the statement of the 1st Defendant one circle was given to the Plaintiff and one to the 1st Defendant. The third one, that is the one now sued for, was registered in the name of the 8th defendant. The 8th Defendant is its [illegible]. The 5th and 6th Defendants have instituted a separate suit for the recovery of the circle which the 1st Defendant got for the Plaintiff and also the circle under dispute. The 2d and 3d Defendants having induced the Plaintiff caused this suit to be instituted.

The cause of action alleged by the Plaintiff is incorrect. It is barred by limitation. As the Plaintiff signified his consent during the settlement of Pahia Polisi it is one of the obstacles for the suit.

The 5th and 6th Defendants were born to the 8th Defendant after he was removed from the office

The 2nd, 3rd and 4th Defendants did not appear in the Court.

4. The following issues were framed

(1). Whether this suit is barred by limitation owing to the rejection by Government of the petition presented by the Plaintiff in 1875, or to any other causes?

(2). Whether the 8th Defendant was deprived of his rank and the same transferred to the Plaintiff and the 1st Defendant?

(3) Whether the Plaintiff is not entitled to institute this suit owing to his having signified consent during the settlement of the Polisi?

(4). To what relief the Plaintiff would be entitled in this

5. The Plaintiff and the 1st Defendant were examined as witnesses in behalf

Commissioners who settled the dispute having with him as stated in para 8 above all the Hakdars connected with this Magani distributed the villages among them - It should be presumed that all consented to this arrangement since there was no takrar dur against this for a long time. If he had not approved of this and raised takrar against this the Defendants would have set up adequate defence - Hence this suit is estopped under Section 115 of the Indian Evidence Act.

12 - Though even it is held that the suit is not barred by limitation it cannot be maintained - It is already stated that the Shanbhavike Hak is not parallel to the Hak relating to land or other property - It should be considered that the rules ~~enjoining their treating~~ it as hereditary due, were framed for the guidance of the authorities for the selection of proper persons. Simply because the Dy. Commissioner who is authorised to make appointments, errs it cannot be said that the person that will be appointed by him will not have right to conduct the duties. While the person so appointed has complete

ight to the office another cannot have cause of action unless the previous to the cancellation of the order f appointment. Even according to this the Plaintiffs Suit should be rejected.

13. It would be better ~~that~~ if a provision be made enjoining distinctly that before such suits are instituted, the Plaintiff should obtain and produce an order from the Dy. Commissioner to the effect that if he felt the matter settled by a Court of Law the appointments would be disposed of agreeably thereto. But this is not the only provision that is wanting in the Rules which are essential about Revenue Suits.

14. From the above reasons the ~~case~~ Plaintiffs Suit is dismissed. The Plaintiff should bear the costs of the Defendants. Pleaders fee is Rs. 3.

Dated 21st May 1891.

of the Plaintiff -

There are no witnesses in behalf of the Defendants -

6. The exhibits filed in the suit are :-

Produced by the Plaintiff -

A. Certified copy of the [illegible] settlement of the office of [illegible] of [illegible] and [illegible] villages.

B. Certified copy of the [illegible] settlement of the office of [illegible] of the village of [illegible], [illegible]-puram and Kallikoppa -

C. Registered partition deed executed for the partition of the property effected by [illegible]-appa the Plaintiff's [illegible] and the 1st Defendant [illegible]appa on ~~the~~ 1st July 1880.

Produced by the 1st Defendant.

I. Certified copy of the deposition given by [illegible]appa at [illegible] on 24th February 1875.

II. Copy of the [illegible] No. 72 dated 8th April 1875 issued to the [illegible] on [illegible] petition No 4 presented to the [illegible] by [illegible]appa [illegible] of [illegible] -

7. Regarding the question of limitation :-

I. In accordance with the exhibit marked I the Plaintiff has stated in his deposition given in 1875 that he and the 1st Defendant

The Bombay High Court has decided that this article refers to cases where orders passed in favour of one of the parties if not caused to be cancelled by a regular suit should be given effect to. (Vide I.L.R. 11 Bom. 429. Vinayak [illegible] v. Collector of Ratnagiri). It has been decided that this term does not apply to the case of a suit by the plaintiff to establish his right to a land against the settlement of the Collector made under Bengal Act VII of 1876 (land registration) (vide I.L.R. 10 Cal. 525). But these decisions are of no use to this suit. The Court may without caring for the orders of the Revenue authorities may mind what they suppose to be, decide about lands as it chooses and give effect to such decisions without asking the said authorities. It is not so with the Shanbhogarike vatan. The main intention of it is the execution of government work smoothly. The rights of the holders should be maintained ~~without~~ so that there may not be any obstacle to it. Rights to sell, lease for lands and other property without the permission of the authorities. The Shanbhogarike vatan is not such an independent right. It should be considered as inviolate right before this is approved by Government authorities. If this suit is decided in favour of the Plaintiff, effect could not at all be given to it (decision) unless the order passed during the Settlement of Patils is cancelled. Since the Plaintiff has not asked for the cancellation of the said order but has merely requested for the registering of the office in his name he cannot avoid the question of limitation; for, it is the spirit and not the letter of relief sought for, is necessary to be considered. Therefore, [illegible] the suit is barred by limitation.

10. As regards the 2nd issue it should be said that the Vatan of the 8th Defendant was not transferred either to the Plaintiff or to the 1st Defendant. Since the 8th Defendant had not had any son, at the time the Government might have in accordance with Rule 30 of the aforesaid Notification nominated any body of his choice. As he and the Plaintiff belong to separate families one ~~[illegible]~~ is not entitled to obtain the Vatan of the other. Since during the settlement of Patils the Dy. Commissioner nominated the 8th Defendant [illegible] office became his own.

11. As regards the 3rd issue the Defendant

23 Pet / 139 [illegible] 25-7-9

③

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 129 dated 10th July 1894 received at the Dewan's Office from Nadig Guruna Ramachandra Row of Jade, Sorab Taluk, Appeal against the Dy. Commr's decis in Rev. appeal no. 1 of 1893-94 da 26th January 1894, regarding Shanbogi of the 8 villages comprised Jade Magane is forwarded, together with its Two enclosures, to the Dy. Commr. Shimoga District for the submission of the entire proceedings connected with the case so as to reach this office on or before the 5th Proximo.

2 The petition with its Encls shd be returned.

By Order,

Draft 25/7/94

BANGALORE, 17 July 1894 } 25 Chief Secretary.

SKR
25/7/94.

M.G.C.P, Bangalore.—3-5-94.—1,000.

From the same No: 103/86 of 31-7-9

Appeal No. 2 of 1894-95

Appt — Respt

Gurunatha Ramachariar — Venkatrao.

Appt & one Rudrappa, the ~~uncle~~ brother of the real ~~natural~~ father of Respt, were joint shanbhogs of 8 villages. They divided them between themselves as follows.

Rudrappa's share	Appt's share
1 Jade	5 Chigatur
2 Kalakoppa	6 Madapura
3 Mangapura	7 Harji
4 Varadakoppa	8 Hosakoppa

At the Pitagi settlement in 1879 these 8 villages were divided into 3 Firkas as shewn in the margin & 1st & 3rd Firkas been given to appt & the 2d Firka was left vacant. In 1880, the Dy Comr appointed Respt, ~~and~~ the natural brother's son of Rudrappa as shanbhog of the 2d Firka.

No 1, 2, & 3 — one Firka.
5 & 6 — 2d Firka
4, 7 & 8 3d Firka.

X Rudrappa was dismissed from office in 1878 - & no one was appointed in his place

Appt brought a suit which was finally dismissed by the Dy Comr on the ground that

Applt was unconnected with Rudrappa's family & had thus no claim whatever to the rights enjoyed by Rudrappa. The appeal is against this Decree.

Applt admits that he is not at all related to Rudrappa, but claims the office of the Village man on the ground that he was a Co-shanbhog. The plea is clearly inadmissible. The appeal is therefore dismissed, & the Decree of the Lower Court Confirmed.

28/10/94

Certified that the appeal has been dismissed

Two Rupees

3105 R
Recd.
Date 24-4-94

10-7-94

10-7-94

with paper stamp affixed

In the Court of the Counsellors
of His Highness the Maharaja
of Mysore – Bangalore.

Revenue Second appeal
No: of 1893-94.

Chennath Ramachen-
-dra Rao – Nadig Resi-
dent of Gaday Sorab Taluq) Appellant.

Vs

Venkata Rao – son of
Seenappah Resident
of Gaday Sorab Taluq) Respondent

The appellant above named
most humbly begs to appeal to
this Honorable Court against t
Decree and Judgment of the Depu
Commissioner of Shimoga in
Revenue appeal case No: 1 of 1893
dated 26th January 1894 o
the following grounds namel

I The Lower appellate Cour
has based its judgment upon
assumptions not warranted b
the facts of the case.

II

27

D M 28/6/94

2000 3105.

OFFICE OF THE
26 JUN. 94
DEWAN OF MYSORE

The Memorandum of appeal should have been written on a Stamp paper of the value of Rs Ten. Court fee Stamps of the value of only Rs Two have been affixed to the petition. Returned therefore for the deficiency in Stamp to be made good. Time allowed fifteen days

Under Secretary

MYSORE D[illegible]
PETITION [illegible]
D. No. 129 R 25 June ~~April~~ 1894
~~11-4-94~~ 25/26
25/6

129
Deficient Stamp of 8 Rupees herewith produced.
10/7/94.

B.H. 11/7/94

(General Serial No. 32.)

189~~4~~

No. 127 ②

Name of Petitioner. [illegible]

Village. [illegible]

Taluk. [illegible]

District. [illegible]

Date of App. 1[illegible]-7-94

Date of Receipt. 16-7-94

Date of Disposal.

No. of Enclosures. two

ABSTRACT.

Produces deficient stamp of eight Rupees as per this office endorsement no: 3105 dated 26-6-9

13/7

Second Appeal [illegible]

In time

Stamp sufficient

Give notice to both parties

Call for lower court records

Posted to 23

17/7

notices issued 25/7/94

Despatched

23/7

* vide sl no in this file

other respects - against the weight of evidence and the probabilities of the case.

P. Srinivasaiengar.

Bangalore:
22/4/94.

advocate for appellant.

24

(General Serial No. 30.)

OFFICE OF THE
1413
12 AUG. 94
Pet 79

1894.

From
The Deputy Commissioner
Shimoga District
L.R. 169-94
(4)
84 3

To

The Chief Secretary to the Dewan
of Mysore.

To the same No. 3749 d 28-8-94.
P. 431-94

Dated 31st July 1894.

Despatched

Received

Enclosures No. 3 + 3 packets sent separately registered

General No. 193
No. 86

With reference to his Official Memorandum No. Pet/139 dated 17th/25th Instant, returns the petition (with enclosures) of Nadig Gurunatha Ramachandra Rau of Jade, Sorab Taluk, together with the entire records connected with the case.

5. Records sent separately with a ferioth in three parcel packets registered.

31/7/94

Recd. 3/8

From

The Deputy Commissioner,
Shimoga District

To

The Chief Secretary to the
Durbar of Mysore

Dated 31st July 1894.

No. C $\frac{103}{86}$ Enc: 3 with 3 books [illegible]

In returning the petition (with enclosures) of Vadig Gurunatha Ramachandra Rao of Jade, Sorab Taluk, received with his Official Memorandum $\frac{\text{Pet.}}{\text{No. 139}}$ dated $\frac{17}{25}$th instant, has the honor to forward the entire records in Revenue Appeal No 1 of 1893-94 on the file of this Court together with the records in Revenue Suit No 3 of 1891-92 on the file of the Court of the Officer Sagar Sub Division.

Abdul Rahman, [illegible]
Deputy Commissioner

that the Appe
unconnected wi
family, and ha
whatever to the righ
by Rudrappa. The a
is against this ~~appea~~
decree.

4 Appellant admi
that he is not at all
related to Rudrappa, but
claims the office of the
villages on the mere
ground that he was a
Co-Shanbhog. The plea
is clearly inadmissible.
The appeal is therefore
dismissed, and the Decree
of the Lower Court confirm

(By order)
Chief Secretary

~~Note in abstract~~ attended T.B.
11/9

No. 3749
Pet. F. 31-94. D/ 28-8-94
449.
Copy to the Dy. Commr. Shimoga, with the Ver: papers recd with his 103/86 dated ~~13~~ 31st July 1894.

28/8/94

29/8

28/8

Endorsement:-
Petitioner is informed that his appeal has been dismissed.
(B.O.)

II That there is nothing on the record to prove that Rudrappa wished to adopt the Respondent

III That in the face of the Patgi Rules and the Government circulars dated 27th December 1887 the Lower appellate Court has erred in considering that the appellant acquiesced in the appointment of 1st Defendant to the office in question.

IV The fact that first Defendant was nominated by Government for the purposes of Pukka Patgi does not affect the Plaintiff's right which is fully admitted in Patgi Statement no: 95/116.

V The judgment referred to in Para 11 of the judgment of the Lower appellate court is not relevant and binding upon the appellant since the appellant was also a co-defendant and as issues cannot arise as between the Defendants themselves.

VI The judgment of the Lower appellate court is in

other

34

(General Serial No. 30.)

1894.95 35.91.

From The Deputy Commissioner Pet 182 Shimoga District

To

The Chief Secretary to the Dewan of Mysore.

Dated 13: September 1894

Despatched L. R. 149-94 Sl 6

Received

Enclosures No. 1

General No. 237
No. 190 } 1894-95

With reference to his No 3749 / P.F. 31-94 of 28th ultimo giving cover to copy of Govt Decision in appea No 2 of 1894-95 slate that the records men tioned in the enclos extract from the Foristh leave list been received and quests to forward the same —

Pet Manch
15/9

Let the records be sent at once. They should have been sent with the copy of the decision

19/9

Drafted
SKA
19/9.

Recd.
17/9.

1894-95

From The Deputy Commissioner
Shimoga District

To The Chief Secretary to the
Dewan of Mysore

Dated 13th September 1894.

No $\frac{237}{190}$ } 1894-95
En 1

His No $\frac{3749}{\text{P.F. 31-54}}$ dated $\frac{\text{28th ulto}}{4-9}$
giving cover to copy of Governm
decision in appeal No 2 of 189

With reference to the abo
has the honor to state that
of the records referred to in the
Feristh which accompanied
those mentioned in the extr
therefrom herewith sent ha
not been received as yet, an
request that the same ma
be forwarded at an early da

Abdul Rahman Kh
Deputy Commission

30 L.R. 149-94

Appeal No 2 of 1894-95. SC 4 (5)

Appellant.

Gurunatha Ramachandra Row, of Jade Sorab Taluk represented by Mr B. Srinivasa Iyengar Advocate.

Respondent.

Venkata Row.

Decision

Appellant and ~~he~~ ~~one~~ one ~~uncle~~ Rudrappa ~~the uncle of the~~ ~~real~~ ~~father of Respondent~~ ~~uncle of Respt.~~ but adopted in another family were joint Shanbogs of 8 villages. They divided them between themselves as follows.

Rudrappa's share	Appellant's share
1. Jade	5. Chigalur
2. Kalakoppa	6 Madapura
3. Mangapura	7 Hanji
4. Vardekoppa.	8. Hosakoppa.

37

L.R. 169-94

To

The Dy. Commissioner
~~Bangalore~~
Shimoga

Dated 21-9-94.
24

No 5338 / P.F. 31-94 Enc: sent by parcel.

is docket No. 237/190 dated
Instant.

With reference to the
above has the honor
return in a separate
acket the records relating
A.S. No. 2 of 1894-95
efore Govt. received
rom the Dy. Commr
ed referred to by [illegible] the
bove

By order

21/9/94

For Ch. Secy.

ft
te
19 Oct

2 Rudrappa was dismissed from office in 1878, and no one was appointed in his place. At the Potagi Settlement in 1879, these 8 villages were divided into 3 Tikas as shown in the margin, and 1st and 3rd Tikas were given to Appellant, and the 2nd was left vacant. In 1880, the Deputy Commissioner appointed Respondent, the natural brother's son of Rudrappa as Shanbhog of the 2nd Tika.

Nos 1, 2 & 3 — 1st Tika
" 5 & 6 — 2nd Tika
" 4, 7 & 8 — 3rd Tika

3. Appellant brought a suit which was finally dismissed by the Deputy Commissioner on the ground

33. ⑥

L.R. 149-94

[illegible]

[illegible] 4-9-94. [illegible] 3105

[illegible]

[illegible]

[illegible] 24-4-94 [illegible]

[illegible]

[illegible] 1894 [illegible]

[illegible]

By order

1/9/94

Chief Secretary

[illegible]

Draft

1893-94 [illegible]

26

1

[illegible]

[illegible]

4 [illegible]

6 [illegible]

[illegible] 13 [illegible]

[illegible]

58 R 7 31-94

189

(7)

No. ೨೪೦೫

Name of Petitioner, [illegible]

Village, [illegible]

Taluk, [illegible]

District, ಶಿವಮೊಗ್ಗ

Date of Arzi, ೨೧. ೯. ೯೫

Date of Receipt, ೯. ೧. ೯೬

Date of Disposal, R. 149 - 94 SL 8

No. of Enclosure, 2

ABSTRACT.

[illegible]

The file is [illegible]

23/1 [illegible]

Rao

29/1/96

So 109

39

(9)

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REGD. No. [illegible]
DATE 7-1-96

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By order

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